

PATENT / DOCKET NO.: 28122.89

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and sole joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**VENTRICULAR RESTORATION SHAPING APPARATUS
AND METHOD OF USE**

the specification of which: (check one)

 is attached hereto.

X

was filed on May 24, 2001 under Attorney's Docket Number 28122.89
as Application Serial No. 09/864,510
and was amended on 9/16/02 (if applicable).

RECEIVED

AUG 22 2003

OFFICE OF PETITIONS

RECEIVED

JAN 07 2003

TECHNOLOGY CENTER R3700

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/272,073
(Application Number)

February 28, 2001
(Filing Date)

Pending
(Status)

POWER OF ATTORNEY: As a named inventor, we hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Theodore Baroody	Reg. No. 45,417	Warren B. Kice	Reg. No. 22,732
Jeffrey M. Becker	Reg. No. 35,442	Michael J. Balconi-Lamica	Reg. No. 34,291
James R. Bell	Reg. No. 26,528	Todd Mattingly	Reg. No. 40,298
L. Howard Chen	Reg. No. 46,615	David L. McCombs	Reg. No. 32,271
Randall E. Colson	Reg. No. 40,566	John W. Montgomery	Reg. No. 31,124
Michael A. Davis, Jr.	Reg. No. 35,488	Bill R. Naifeh	Reg. No. 44,962
Ruben C. DeLeon	Reg. No. 37,812	David M. O'Dell	Reg. No. 42,044
Brian J. Hubbard	Reg. No. 45,873	Philip Philbin	Reg. No. 35,979
Rita M. Irani	Reg. No. 31,028		

Send correspondence to Bill R. Naifeh, Haynes and Boone, LLP, 901 Main Street, Suite 3100, Dallas, Texas 75202-3789 and direct all telephone calls to Bill R. Naifeh at 214/651-5706.

FULL NAME OF INVENTOR: Gregory Murphy

INVENTOR'S SIGNATURE:



DATED: 12/17/02

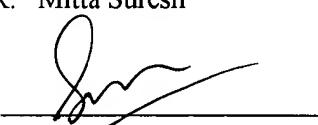
RESIDENCE: 2502 Overcreek Drive; Richardson, Texas 75080

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 2502 Overcreek Drive; Richardson, Texas 75080

FULL NAME OF INVENTOR: Mitta Suresh

INVENTOR'S SIGNATURE:



DATED: 12/17/02

RESIDENCE: 3201 Tam O'Shanter; Richardson, Texas 75080

CITIZENSHIP: India

POST OFFICE ADDRESS: 3201 Tam O'Shanter; Richardson, Texas 75080

PATENT / DOCKET NO.:28122.89

FULL NAME OF INVENTOR: Albert Davis

INVENTOR'S SIGNATURE: 

DATED: _____

RESIDENCE: 304 Arborcrest; Richardson, Texas 75080

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 304 Arborcrest; Richardson, Texas 75080

D-910961.2